

REFERENCE TITLE: school pupils; admission; absences

State of Arizona
House of Representatives
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HB 2368

Introduced by
Representatives Crandall: Adams, Anderson, Crump, Garcia M, Konopnicki,
Lujan, Tobin

AN ACT

AMENDING SECTIONS 15-807 AND 15-821, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL ATTENDANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-807, Arizona Revised Statutes, is amended to
3 read:

4 15-807. ~~Absence from school; notification of parent or person~~
5 having custody of pupil; immunity

6 A. If a pupil ~~in a kindergarten program or grades one through eight~~
7 WHO IS ENROLLED IN AN ELEMENTARY SCHOOL is absent from school without excuse
8 as provided in this article or without notice to the school in which the
9 pupil is enrolled of authorization of the absence by the parent or other
10 person who has custody of the pupil, the school in which the pupil is
11 enrolled, within two hours after the first class in which the pupil is
12 absent, shall make a reasonable effort to promptly telephone and notify the
13 parent or other person who has custody of the pupil of the pupil's absence
14 from school.

15 B. On or before the enrollment of a pupil in ~~a kindergarten program or~~
16 ~~grades one through eight~~ AN ELEMENTARY SCHOOL, the school district shall
17 notify parents or other persons who have custody of a pupil of their
18 responsibility to authorize any absence of the pupil from school and to
19 notify the school in which the pupil is enrolled in advance or at the time of
20 any absence and that the school district requires that at least one telephone
21 number, if available, be given for purposes of this section. The school
22 district shall require that the telephone number, if available, be given at
23 the time of enrollment of the pupil in school and that the school of
24 enrollment be promptly notified of any change in the telephone number.

25 C. A school district, governing board members of a school district and
26 employees or agents of a school district are not liable for failure to notify
27 the parent or other person who has custody of a pupil of the pupil's absence
28 from school as provided in this section.

29 Sec. 2. Section 15-821, Arizona Revised Statutes, is amended to read:

30 15-821. Admission of children: required age

31 A. Unless otherwise provided by article 1.1 of this chapter or by any
32 other law, all schools shall admit children WHO ARE between the ages of six
33 and twenty-one years, who reside in the school district and who meet the
34 requirements for enrollment in one of the grades or programs offered in the
35 school. A SCHOOL MAY REFUSE TO ADMIT A CHILD WHO HAS GRADUATED FROM A HIGH
36 SCHOOL WITH A RECOGNIZED DIPLOMA.

37 B. If a preschool program for children with disabilities is
38 maintained, a child is eligible for admission as prescribed in section
39 15-771.

40 C. If a kindergarten program is maintained, a child is eligible for
41 admission to kindergarten if the child is five years of age. A child is
42 deemed five years of age if the child reaches the age of five before
43 September 1 of the current school year. A child is eligible for admission to
44 first grade if the child is six years of age. A child is deemed six years of
45 age if the child reaches the age of six before September 1 of the current

1 school year. The governing board may admit children who have not reached the
2 required age as prescribed by this subsection if it is determined to be in
3 the best interest of the children. For children entering the first grade,
4 such determination shall be based upon one or more consultations with the
5 parent, parents, guardian or guardians, the children, the teacher and the
6 school principal. Such children must reach the required age of five for
7 kindergarten and six for first grade by January 1 of the current school year.

8 D. Notwithstanding any other law, a child who resides with a family
9 member other than the child's parent ~~and is residing with the family member~~
10 while awaiting the outcome of a legal guardianship or custody proceeding is
11 deemed to reside in the school district where that family member resides if
12 the family member provides written documentary proof of one of the following:

13 1. The family member is attempting to obtain legal guardianship of the
14 child in an unresolved and uncontested guardianship proceeding commenced in
15 superior court. The family member shall provide documentation to the school
16 district within thirty days of enrollment that the family member is
17 attempting to obtain legal guardianship of the child. Upon obtaining legal
18 guardianship, the family member shall provide documentation to the school
19 district.

20 2. The family member is attempting to obtain custody of the child in
21 an unresolved and uncontested child custody proceeding commenced in superior
22 court. The family member shall provide documentation to the school district
23 within thirty days of enrollment that the family member is attempting to
24 obtain custody of the child. Upon obtaining custody, the family member shall
25 provide documentation to the school district.